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Attorneys for MARYLON BOYD

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MARYLON BOYD, individually and as
Executor of the Estate of CAMMERIN BOYD,
ISABEL GONZALEZ by her Guardian Ad
Litem, Isela Gonzalez and KANANI BOYD,
by her Guardian Ad Litem, Kamilah Boyd,

Plaintiffs,

vs.

CITY OF SAN FRANCISCO, COUNTY OF SAN
FRANCISCO, et. al.,

Defendants.

Case No.: C04-5459 MMC

**JOINT STIPULATION RE: DISMISSAL
OF DEFENDANTS WILLIAM ELIEFF,
GREGORY KANE AND STEVEN
STEARNS AND WITHDRAWAL OF
FOURTH CAUSE OF ACTION FROM
PLAINTIFFS' COMPLAINT;
[PROPOSED] ORDER**

IT IS HEREBY STIPULATED by the parties, through their respective counsel, that
defendants WILLIAM ELIEFF, GREGORY KANE AND STEVEN STEARNS be dismissed

1 from this action with prejudice, including any claims against the City and County of San
2 Francisco arising from any of the conduct of those officers. **IT IS FURTHER STIPULATED**
3 that plaintiffs' fourth cause of action under the American with Disabilities Act ("ADA") be
4 dismissed with prejudice.
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Each party agrees that with respect to any request for costs and/or fees that may be made in this matter, that request shall be made as if the dismissed claims were never a part of this action. In other words, no party shall make any request for costs and fees as a result of these dismissals nor shall any party be permitted to argue that any costs or fees that may be requested by any party with respect to litigating the remaining claims should be reduced or increased because they were incurred in litigating the claims dismissed by this agreement.

IT IS SO STIPULATED:

LAW OFFICES OF VICKI I. SARMIENTO

DATED: March 30, 2007

VICKI I. SARMIENTO
Attorney for Plaintiffs Gonzales and Kanani Boyd

DATED: March 30, 2007

LAW OFFICES OF DALE K. GALIPO

DALE K. GALIPO
Attorneys for Plaintiff Marylon Boyd

DATED: _____

DENNIS J. HERRERA
City Attorney
JOANNE HOEPER
Chief Trial Deputy
BLAKE P. LOEBS
Deputy City Attorneys

By: _____
BLAKE P. LOEBS
Attorneys for Defendants

~~[PROPOSED]~~ ORDER

Pursuant to the stipulation of the parties, **IT IS HEREBY ORDERED** that defendants William Eileff, Gregory Kane, and Steven Stearns, and any claims against the City and County of San Francisco arising from any of the conduct of those officers, be dismissed with prejudice.

IT IS FURTHER ORDERED that plaintiffs' fourth cause of action for violations under the American with Disabilities Act be dismissed with prejudice.

DATED: April 6, 2007


HONORABLE MAXINE M. CHESNEY